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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

NICHOLAS C. SMITH-WASHINGTON,
JOYCE MAHONEY, JONATHAN AMES, and
JENNY LEWIS, on behalf of himself and all
others similarly situated,

Plaintiffs,

v.

TAXACT, INC., an Iowa Corporation

Defendant.

Case No. 3:23-CV-00830-VC

**JOINT STIPULATION TO CONTINUE
HEARING DATE ON DEFENDANT'S
MOTION TO COMPEL ARBITRATION
AND STAY CASE; ~~PROPOSED~~ ORDER**

[LOCAL RULE 6-2]

1 WHEREAS, on July 12, 2023, Defendant TaxAct, Inc. filed a Notice of Motion and Motion
 2 to Compel Arbitration and Stay Proceedings on the grounds that Plaintiff agreed to arbitrate all
 3 disputes with TaxAct. Dkt. 68. That Motion is currently set for hearing on October 5, 2023 at 10:00
 4 a.m.

5 WHEREAS, Plaintiffs' counsel and counsel for Defendant have conferred and agreed to
 6 pursue mediation. As such, the parties submit that it is in the best interest of the parties and the Court
 7 to continue the hearing date until a date that is on or after November 16, 2023.

8 WHEREAS, in the interest of conserving costs, as well as the Court's time and resources, the
 9 parties respectfully request that the hearing date on Defendant's Motion to Stay, currently scheduled
 10 for October 5, 2023, be continued until November 16, 2023, at 10:00 a.m. or a date thereafter that is
 11 selected by this Court.

12 WHEREAS, the parties have not requested any other extensions of the hearing date for this
 13 motion.

14 WHEREAS, the parties' request for a change in the hearing date on the Motion to Stay does
 15 not require changes to other deadlines in this case.

16 **IT IS SO STIPULATED.**

17 Dated: September 29, 2023

Respectfully submitted,

19 /s/ James Ducayet

20 James W. Ducayet (*pro hac vice*)
 21 SIDLEY AUSTIN LLP

22 *Attorney for Defendant TaxAct, Inc.*

23 Dated: September 29, 2023

24 /s/ Christina Tusan

25 Christina V. Tusan (SBN 192203)
 26 HAMMONDLAW, P.C.

27 *Attorney for Plaintiff Nicolas C. Smith-Washington*

~~PROPOSED~~ ORDER

Pursuant to the stipulation of the parties and good cause being shown, IT IS ORDERED that the hearing on Defendant's Motion to to Stay, currently scheduled for October 5, 2023, is continued until November 16, 2023 at 10:00 a.m.

DATED: October 2, 2023



HON. VINCE CHABRIA
United States District Court Judge